



HEARST FIGHTS IN HIGHER COURT FOR A RECOUNT

His Demand for the Reopening of 1,000 Ballot-Boxes and a Recanvass of the Votes Heard by the Appellate Division.

The fight of William Randolph Hearst to open about 1,000 ballot-boxes used in the last election was carried into the Appellate Division to-day on appeal from that section of Justice Ames's order which refused to allow the validity of the votes in boxes already opened to be questioned.

Corporation Counsel Delany, through his assistant, Arthur Butts, also appeared, but he appealed against the whole order, maintaining that the ballot boxes should not have been opened at all.

The decision of the Corporation Counsel to appeal the whole question of opening the ballot-boxes, with the object not only of preventing the opening of any others, but of preventing a recanvass of the ballots in those already opened, seemed in direct contradiction to Mayor McClellan's declaration that he would place no technical objections in the way of an honest count. When Mr. Shearn heard of it he said that it was a Tammany move to keep evidence of fraud hidden in the boxes.

Before the proceeding began Justice Ingraham, who was re-elected at the election in dispute, asked if there was any objection to his sitting in the case. He was assured by the lawyers on both sides that they earnestly desired him to hear the arguments and give his decision with his fellow-jurists on the bench. Justice Morgan J. O'Brien presided.

Austen G. Fox, Henry Young, E. B. Whitney and Clarence Shearn represented Mr. Hearst. Judge Arthur Butts, representing the Corporation Counsel's office, argued for the Board of Elections. Judge Alton B. Parker appeared for Mayor McClellan.

Mr. Fox explained the nature of the appeal to the court. He maintained that every void or illegal ballot found in the boxes must be declared void and regarded as not cast. There were fifty-six ballots in the boxes opened last week, he said, that were plainly void under the ruling made by Justice Ingraham on void and protested ballots that were not allowed to go into the boxes.

Judge Butts argued that the only way open to the Hearst counsel to legally contest the election is by quo warranto proceedings, which would involve the dissolution of the injunction preventing the Board of Canvassers from giving Mayor McClellan a certificate of election and allow him to take his seat.

Then, Mr. Butts contended, it would be proper for Mr. Hearst to proceed to try to unseat him along statutory lines. Judge Parker argued the same way. He described the action of the Hearst counsel as a "discovery."

"Let us have one suit," he said, "involving one controversy, before one court. We can do this by quo warranto proceedings." When the argument was closed the judges at once went into consultation to prepare their decision.

SAN DOMINGAN COUPLE ARE WED BY McEVY.

Justice Performs the First Ceremony Since He Went on the Bench.

Justice McEvoy, of Special Sessions, performed his first marriage ceremony as a Judge to-day when he bound for better or worse Rafael Baile and Matilde Julia, of the Dominican Republic. The father of the bridegroom, Jose Baile, is Secretary of State of San Domingo, and the bride comes from one of the oldest families. She has just been graduated from the University of the Sacred Heart in this city.

The religious ceremony was performed by Rev. Father Keogh, of St. Thomas's Church, St. Nicholas avenue and the insured and Seventeenth streets. The civil ceremony was necessary in addition to comply with the laws of San Domingo.

The witnesses to the marriage in court were Jose Baile, Sr., Thomas Walsh, Justice Joseph M. Deuel and Robert Humberto Wilkes.

\$200,000 IN STOLEN GEMS TRACED HERE

French Owner Says They Are in New York Pawnshop.

CLAIMS 2 NECKLACES. Shopkeeper, However, Says He Can Prove Glautheuer Never Owned Them.

Diamonds and pearls valued at \$200,000, stolen by American thieves last March from Glautheuer Bros., jewellers of Paris, were pawned or otherwise disposed of in this city according to one of the members of the Gatto firm who is here searching for his property.

A west-side pawnbroker was summoned to Centre Street Court to-day on complaint of Mr. Glautheuer, that two necklaces stolen from Paris were in the pawnbroker's stock.

Abraham Levy and George Simpson represented the pawnbroker, who vigorously denied that the necklaces in question had ever been in the possession of the Glautheuers. He said he could prove ownership and was allowed to depart on his promise to do so.

The central office heard of the jewel robbery when it occurred and kept a close watch on returning Americans during the summer, but never got a clue to the stolen jewels. Three weeks ago the Glautheuers received a tip that the jewels were in this city and a member of the firm took the first steamer for New York.

Upon his arrival he called upon Capt. McCauley of the Detective Bureau, who thought enough of his story to secure from Magistrate Whitman the necessary papers to make possible a search of every pawnshop in the city.

The search was unsuccessful until jeweller and detectives found the pearls and diamonds in the west-side shop. Glautheuer's identification of the property was positive, but the business reputation of the pawnbroker is high, and his denial that they were part of the property stolen from Paris carries weight with the police officers.

The police say the jewels were stolen from a travelling agent of the French firm at Birmingham, England.

BIG ARMY GUARDS THE CZAR'S CAPITAL

With Machine Guns They Hold St. Petersburg Streets Against the Strikers.

BERLIN, Dec. 5.—A despatch to the Lokal Anzeiger from St. Petersburg dated Sunday night describes the military measures taken to insure order. The city was divided into four military divisions, all heavily armed.

The number of troops on duty was 15,000, with twelve machine guns.

Owing to the Government in the Russian Empire, it is hastening the repatriation of the Manchurian First Army Corps, which formerly was in garrison in St. Petersburg. It is reported that the Corps will reach its old quarters within a week.

The citizens of various countries resident in Russia have urgently appealed to their Ambassadors to make representations to the Russian Government in behalf of termination of the strikes.

The Ambassadors replied negatively, as nothing could possibly be done, but they offered to transmit foreign letters to the frontier through couriers.

FOUND POOL-ROOM OVER IN BROOKLYN

Headquarters Raiders Didn't Need Axes, for It Was the Old Table Game.

Armed with axes, sledges and crow-bars two police raiding parties invaded Brooklyn to-day. Acting Capt. Costigan headed one and Roundman Black the other. Costigan got lost in the wilds of Classen avenue. Black headed his blue-coated gladiators to No. 56 Myrtle avenue.

With axes and sledges swinging high ready to raze the hostile-like entrance to the poolroom door, the police were amazed to find the latch string out and a smiling attendant waiting with a "Make my balance your home" greeting.

"Sure it's the only pool we Brooklynites know. You see what you get, Black, for taking a cue in a game you can't play."

"The joint's the Adams tipple," Capt. Shaw, of the Adams street police station, snickered in. The proposed raid had been planned without asking his leave.

"Sure it's a pool-room," he said, to Black. "And it's the only pool we Brooklynites know. You see what you get, Black, for taking a cue in a game you can't play."

Black took a census of those present and made three arrests. He searched in vain for telephones and racing sheets. Warrants had been obtained for a pool-room, of which Eddie Milan was said to be the proprietor.

JEWISH RELIEF FUND INCREASES

More Than \$14,000 Added To Day—Carl Schurz Commends Work.

The National Committee for the Relief of the Russian Jews reports to-day an addition of \$14,000 to its fund, making a total of \$119,000. Among the contributions to-day were Pittsburgh, Kansas Community, \$25.50; David Rodwell, \$100; Jewish Community, \$100; Detroit, Mich., \$100; Through M. Market, \$155.11; J. Bolster & Co., \$400; Brooklyn Relief Committee, \$1,000; New York Relief Committee, \$1,000; Hebrew Sisters of Charity, \$50; Columbus, O., \$44.50; Ansonia, Conn., Yale High, \$38; Helena, Mont., Community, \$20; Labor Workers, \$200; J. C. Treus, \$100; St. Louis, \$100; Morris Littman, \$200; Louis Stern, \$100; and Independent Baitaker Brothers Love Association, \$25.

Carl Schurz, writing to Simon Wolf of Washington, says: "Let me congratulate you on the good work you are doing for the Jew in Russia. Nothing in modern times has been more terrible than their situation, and to save them, a fight has to be carried on, not only against the barbarism of a government, but what is far worse, the barbarism of a populace. Nothing can tell how it will all end."

Flames Sweep Town

CHARLESTON, W. VA., Dec. 5.—News reached here to-day of a disastrous fire at Wayne Court House, W. Va. There are no particulars except that great damage resulted.

FAIR GROUNDS WILL CONTINUE TURF WAR

Old New Orleans Track Has \$300,000 Fund to Fight City Park.

(Special to The Evening World.) NEW ORLEANS, La., Dec. 5.—The main topic discussed at the Fair Grounds to-day was the granting of dates by the Western Jockey Club, yesterday in Chicago. The Crescent City Jockey Club was given its usual dates and was also furnished with a fund of \$300,000 to continue the war.

The fact that the old track has such a reserve of war fund has made quite a number of horsemen who are racing at City Park make application for stable room at the Fair Grounds.

Col. P. A. Renaud to-day at the Fair Grounds stated that he was financially able to carry the fight on for two years and that he had more money than he could spend, and would win the battle, despite the cold weather, was large.

The programme was an evenly balanced one and was productive of good sport. The mile and one-eighth handicap was the day's feature. The course was fast and weather clear.

FIRST RACE—Purse \$400; two-year-olds; selling; five and one-half furlongs.—Marvin Neal, 108 (Freeman), 12 to 1 and 5 to 1, won by four lengths; Attraction, 102 (Bewell), 4 to 1 and 3 to 1, second; Hand Bag, 106 (L. Smith), 6 to 1 and 3 to 1, third. Time—1:28.

Blue Bird, 110 (Nellie), 10 to 1 and 5 to 1, won by a length and a half; Monocle Maid, 108 (Freeman), 3 to 1 and 1 to 1, second; King Cole, 107 (Bewell), 5 to 1 and 1 to 1, third. Time—1:44.

SECOND RACE—Purse \$400; three-year-olds and up; selling; six furlongs.—Gladwin, 98 (Freeman), even and 1 to 1, won by a neck; Vagary, 104 (Livingston), 20 to 1 and 5 to 1, second; Nona W., 102 (Crimmins), 2 to 1 and 1 to 1, third. Time—1:15.

THIRD RACE—Purse \$400; all ages; one mile and twenty yards.—Ben Hodder, 91 (Perkins), 3 to 1 and 5 to 1, won by a length and a half; Monocle Maid, 108 (Freeman), 3 to 1 and 1 to 1, second; King Cole, 107 (Bewell), 5 to 1 and 1 to 1, third. Time—1:44.

FOURTH RACE—Purse \$400; for three-year-olds and up.—Oscar, 102 (O'Brien), 4 to 1 and 1 to 1, won by 1 to 1 and 1 to 1; Belle Storme, 100 (Perkins), 3 to 1 and 5 to 1, second; Cordons, 109 (D. Hall), 10 to 1 and 5 to 1, third. Time—1:35.

FIFTH RACE—Purse \$400; for three-year-olds and up.—Oscar, 102 (O'Brien), 4 to 1 and 1 to 1, won by 1 to 1 and 1 to 1; Belle Storme, 100 (Perkins), 3 to 1 and 5 to 1, second; Cordons, 109 (D. Hall), 10 to 1 and 5 to 1, third. Time—1:35.

SIXTH RACE—Purse \$400; for three-year-olds and up.—Oscar, 102 (O'Brien), 4 to 1 and 1 to 1, won by 1 to 1 and 1 to 1; Belle Storme, 100 (Perkins), 3 to 1 and 5 to 1, second; Cordons, 109 (D. Hall), 10 to 1 and 5 to 1, third. Time—1:35.

SEVENTH RACE—Purse \$400; for three-year-olds and up.—Oscar, 102 (O'Brien), 4 to 1 and 1 to 1, won by 1 to 1 and 1 to 1; Belle Storme, 100 (Perkins), 3 to 1 and 5 to 1, second; Cordons, 109 (D. Hall), 10 to 1 and 5 to 1, third. Time—1:35.

EIGHTH RACE—Purse \$400; for three-year-olds and up.—Oscar, 102 (O'Brien), 4 to 1 and 1 to 1, won by 1 to 1 and 1 to 1; Belle Storme, 100 (Perkins), 3 to 1 and 5 to 1, second; Cordons, 109 (D. Hall), 10 to 1 and 5 to 1, third. Time—1:35.

NINTH RACE—Purse \$400; for three-year-olds and up.—Oscar, 102 (O'Brien), 4 to 1 and 1 to 1, won by 1 to 1 and 1 to 1; Belle Storme, 100 (Perkins), 3 to 1 and 5 to 1, second; Cordons, 109 (D. Hall), 10 to 1 and 5 to 1, third. Time—1:35.

NO PEACE SIGN AT CITY PARK TRACK

Rumors of Compromise in New Orleans Turf War Groundless.

(Special to The Evening World.) CITY PARK, NEW ORLEANS, La., Dec. 5.—With the official report of the Western Jockey Club meeting, which was held yesterday, horsemen now racing at City Park seem to be going about their business with the material at hand trying to gather all that is possible.

The meeting, it was thought, would spring a surprise in the turf war which is now raging here. Rumors of compromise were spread about to-day with great rapidity but when run down they failed to show any signs toward peace in the situation.

The card that was offered to racegoers at City Park this afternoon seemed to be made up of the usual selling conditions. The feature was the fourth race, at six furlongs, for all ages. Six were carded to start.

The other races have filled well, and most of them had large fields. The weather here to-day was decidedly cold for the time of the year, but few racegoers were on hand when the bugle called the horses to the post for the first race.

FIRST RACE—Purse \$400; for three-year-olds and up; selling; seven furlongs.—Clifton Forge, 111 (Wilson), 2 to 1 and even, won; Florio, 102 (O'Brien), 3 to 1 and 1 to 1, second; Nona W., 102 (Crimmins), 2 to 1 and 1 to 1, third. Time—1:28.

SECOND RACE—Purse \$400; for three-year-olds and up; selling; six furlongs.—Gladwin, 98 (Freeman), even and 1 to 1, won by a neck; Vagary, 104 (Livingston), 20 to 1 and 5 to 1, second; Nona W., 102 (Crimmins), 2 to 1 and 1 to 1, third. Time—1:15.

THIRD RACE—Purse \$400; all ages; one mile and twenty yards.—Ben Hodder, 91 (Perkins), 3 to 1 and 5 to 1, won by a length and a half; Monocle Maid, 108 (Freeman), 3 to 1 and 1 to 1, second; King Cole, 107 (Bewell), 5 to 1 and 1 to 1, third. Time—1:44.

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EIGHTH RACE—Purse \$400; for three-year-olds and up.—Oscar, 102 (O'Brien), 4 to 1 and 1 to 1, won by 1 to 1 and 1 to 1; Belle Storme, 100 (Perkins), 3 to 1 and 5 to 1, second; Cordons, 109 (D. Hall), 10 to 1 and 5 to 1, third. Time—1:35.

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TENTH RACE—Purse \$400; for three-year-olds and up.—Oscar, 102 (O'Brien), 4 to 1 and 1 to 1, won by 1 to 1 and 1 to 1; Belle Storme, 100 (Perkins), 3 to 1 and 5 to 1, second; Cordons, 109 (D. Hall), 10 to 1 and 5 to 1, third. Time—1:35.

FIRST ACCIDENT IN THE BIKE RACE; RIDERS COLLIDE

Hollister and Vanderstuyft Mix Up Speeding Around Track and Hollander's Wheel Is Wrecked— "Doping" Is Denied.

The first accident of the day in the big cycle race at the Garden happened at 4 o'clock.

Hollister, of the Mormon, and Vanderstuyft, of the Belgium-Holland team collided on the south side of the Garden. The men were riding together, with Vanderstuyft on the inside. Their pedals touched, and Vanderstuyft swerved. His wheel crashed into one of the rail-posts and was wrecked. Hollister continued to ride. Vanderstuyft jumped up immediately. He was not hurt, and his partner, Stol, took his place until Vanderstuyft could have a new wheel prepared for him.

Much interest was evinced in McDonald, who, it was said, had been on the track continuously since 3 o'clock this morning, with the exception of two and a half hours, when Galvin, his partner, relieved him. Galvin again relieved McDonald at 3.30 o'clock, and if the story circulated was true McDonald had been on eleven hours and thirty minutes, which would compel Galvin to make a like stretch of time.

Al Copeland, chief of the scores, denied that this story was true. After making an examination of the score board he said that McDonald had been on eight hours and fifty minutes since midnight.

Stories have been afloat concerning the reported doping of riders with strychnine. None of the riders need it and trainers deny using it.

Teddy Billington, the young rider who fell from his wheel in the Garden last night and was taken to Bellevue Hospital, was back on the track this afternoon. At the hospital it was ascertained that Billington was suffering from an overdose of strychnine. He appeared at the track this afternoon and at 3 o'clock rode an exhibition quarter in 23.5 seconds.

Calvin, who is McDonald's partner, denied that McDonald had ridden his twelve hours. "I am positive," said Calvin, "that I

time that McDonald had been on the track, said that since 10 o'clock this morning McDonald had only ridden two hours and two minutes. Newspaper men who had been at the track all day are positive that McDonald had ridden more than two hours in that time. It is said that McDonald rode from 3 A. M. to 6 A. M. Then he was relieved by Galvin for half an hour. He came back on the track and rode continuously until 1 o'clock. Then Galvin again relieved him for less than half an hour. He again returned to the track and rode until 3.30 o'clock. Since that time Galvin has been riding.

During the afternoon two motor cyclists raced two miles in hair-raising fashion, neck and neck all the way. The first mile was ridden in 1:28.4 and two miles in 2:58.4.

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6 O'CLOCK RACE SCORE

The six-day bicycle race score at 6 o'clock was:

| | M. L. | | M. L. |
|---------------------|-------|-----------------------|-------|
| Vanderstuyft & Stol | 728 2 | Hall & Downey | 728 2 |
| Root & Fogler | 728 2 | Keegan & Logan | 728 2 |
| Bedell & Bedell | 728 2 | Dorflinger & Dussot | 728 2 |
| MacLean & Moran | 728 2 | Hopper & Hollister | 728 2 |
| Galvin & McDonald | 728 2 | Achorn & Wilcox | 728 2 |
| Downing & Bowler | 728 2 | Trousselier & De Caup | 728 2 |

The record is 850 miles 7 laps.

LATE FAIR GROUND RESULTS.

Fourth—Tartan 3-1, Phil Finch 4-5, place, St. Valentine.
Fifth—Lady Vashit 2-1, Columbia Girl 2-5 pl., Hannibal Bey.
Sixth—Edward Hale 50-1, The Regent 1-2 pl., Ponca.

CITY PARK.

Fifth—Ecolite 5-1, Safety Light 1-3, Little Elkin.
Sixth—Malleable 3-1, Adressor 3-1 place, Don Fonco.